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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

2007 FEB 13 A 9:58
KARA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

JAMES TYRONE EDWARDS
244859

PLAINTIFF,

V.

CIVIL ACTION NO:
3:06-CV-740-MHT-SRW

SGT. MOORE, et al

Defendants

PLAINTIFF'S MOTION FOR EXTENSION OF TIME

PURSUANT TO THE PROVISIONS OF F.R.Civ.P, Rule 6, the plaintiff in the above-named action humbly request an additional extension of time of 30 day to file his response to the defendants "Special Report".

Plaintiff sets fourth the following fact and cause(s)

(1). Plaintiff's response is due to be filed on February 16, 2007, plaintiff request that his response be filed by or on March 16, 2007.

(2). The case law relied upon by the defendant are unavailable to the plaintiff are as follows:

Brown v. Tombs, 139 F3d 1102(6th Cir 1998); Alexander v. Hawk, 159 F3d 1321(11th Cir 1998); Mitchell v. Brown and Williamson Tobacco Corp., 294 F3d 1309 (11th Cir 2002); Saucier v. Katz, 533 US 194(2001); Harris v. Coweta County, Ga., 406 F3d 1307(11th Cir.2005); Vinyard v. Wilson 311 F3d 1340 (11th Cir 2002); Bozeman v. Orum, 422 F3d 1265 (11th Cir 2005); Landman v. Royster, 333 F Supp 621 LE.D.Va 1971); Davis v. Agosto, 89 Fed.Appx 523 (6th Cir 2004); Benton v. Hopkins, 2006 WL 2052858(11th Cir.2006) and others.

(3). The plaintiff has requested the cases above from the Alabama Dept. Corrections General Counsel Kim Thomas, who as of yet has not responded (See attached letter to Kim Thomas)

(4). The inadequately of the institutional Law library and spacing (I.e. 10 people only) coupled with security concerns during bad weather (I.e. snow, rain etc) limit plaintiff's review of these cases and said review is pertinent to the plaintiff's answer.

Wherefore, the premises are considered, plaintiff seeks an extension of 30 days for the above stated reasons.

Wherefore, the plaintiff's reply is due by or on March 16,2007(subject to further request of extension of time if necessary).

DONE THIS 8TH DAY OF February A.D. 2007

RESPECTFULLY SUBMITTED,


JAMES TYRONE EDWARDS
244859

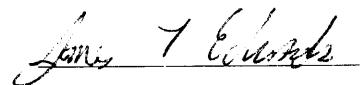
CERTIFICATE OF SERVICE

I hereby certify that a copy of plaintiff's motion for extension of time has been served upon:

Hon. Winthrop E. Johnson
C/o Webb and Eley, P.C.
7475 Halcyon Pointe Drive
P.O. Box 240909
Montgomery, Al. 36124

Office of the Clerk-Middle District
One Church Street
Montgomery, Al. 36104

By placing the same in the U.S. Mail-L.C.F. on the 7th DAY OF February A.D. 2007


JAMES TYRONE EDWARDS
244859

cc Winthrop E. Johnson-Attorney for Defendants
Ms. Debra Hackett-Clerk Of Court

File James Tyrone Edwards-Plaintiff, pro se

February 7, 2007

JAMES TYRONE EDWARDS

28779 NICK DAVIS RD.

HARVEST, AL. 35749

ALABAMA DEPT. OF CORRECTIONS-LEGAL DIV.

c/o Kim T. Thomas

11 S. Union Street

Montgomery, Ala. 36130-0000

Dear Mr. Thomas:

My name is JAMES TYRONE EDWARDS; I am incarcerated at the Limestone Correctional Facility-Harvest, Al.

I am writing this letter to request the following case law and book, which are currently unavailable to me via book or LEXIS or WESTLAW which I am need of: Brown v. Tombs, 139 F3d 1102(6th Cir 1998); Alexander v. Hawk, 159 F3d 1321(11th Cir 1998); Mitchell v. Brown and Williamson Tobacco Corp., 294 F3d 1309 (11th Cir 2002); Saucier v. Katz, 533 US 194(2001); Harris v. Coweta County, Ga., 406 F3d 1307(11th Cir.2005); Vinyard v. Wilson 311 F3d 1340 (11th Cir 2002); Bozeman v. Orum, 422 F3d 1265 (11th Cir 2005); Landman v. Royster, 333 F Supp 621 LE.D.Va 1971); Davis v. Agosto, 89 Fed.Appx 523 (6th Cir 2004); Benton v. Hopkins. 2006 WL 2052858(11th Cir.2006) and others.

I humbly and most respectfully request that you could forward the above cases as soon as possible.

RESPECTFULLY SUBMITTED.


JAMES TYRONE EDWARDS

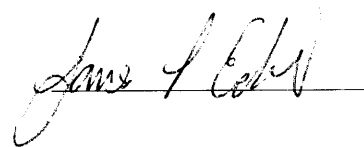
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing letter is forwarded to Kim Thomas of the Alabama Dept. of Correction via U.S. Mail-LCF on this 7th DAY OF February 2007.

Hon. Winthrop E. Johnson
C/o Webb and Eley, P.C.
7475 Halcyon Pointe Drive
P.O. Box 240909
Montgomery, Al. 36124

Office of the Clerk-Middle District
One Church Street
Montgomery, Al. 36104

By placing the same in the U.S. Mail-L.C.F. on the 7th DAY OF February A.D. 2007

A handwritten signature in cursive script, appearing to read "James T. Edwards", written over a horizontal line.

JAMES TYRONE EDWARDS

244859

Cc Winthrop E. Johnson-Attorney for Defendants
Ms. Debra Hackett-Clerk Of Court
Kim Thomas-General Counsel- Legal Div. A.D.O.C.

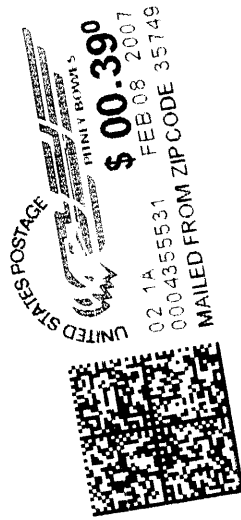
File James Tyrone Edwards-Plaintiff, pro se

James T. EDWARDS 244859
28779 Nick Davis Rd.
Harvest, AL 35749

This correspondence is forwarded from
an Alabama State Prison. The contents
have not been evaluated, and the Alabama
Department of Corrections is not
responsible for the substance or content
of the enclosed communication.

Legal Mail

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Office of the Clerk - Middle District
c/o Ms. Debra Hockett - Clerk of Court
one Church Street
Montgomery, AL 36104